



**Minutes
COUNCIL MEETING
City Hall – Bel Aire, Kansas
October 4, 2016
7:00 P.M.**



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- I. CALL TO ORDER** - Mayor David Austin called the City of Bel Aire Council meeting to order, October 4, 2016 at 7:00 pm.
- II. ROLL CALL** - Council Members present Dr. Ramona Becker, Guy MacDonald, Betty Martine, Peggy O'Donnell, and Diane Wynn. Also present City Attorney Alison McKenney Brown, City Manager Ty Lasher, and City Clerk/Zoning Assistant Stacey Cook.
- III. MOMENT OF SILENT PRAYER** - A moment of silent prayer was led by Mayor David Austin.
- IV. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG** – The Pledge of Allegiance to the American Flag was led by Mayor David Austin.
- V. DETERMINE AGENDA ADDITIONS:** None
- VI. CONSENT AGENDA**
- A. Minutes of the September 20, 2016 City Council Meeting.
- MOTION:** Ms. Martine made a motion to approve the consent agenda as listed and authorize the Mayor to sign. Seconded by Dr. Becker. **Motion carried 5-0.**
- VII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE**
- A. Appropriations Ordinance 16-19 in the amount of \$398,921.11.
- MOTION:** Mr. MacDonald made a motion to approve appropriations Ordinance 16-19. Seconded by Mrs. O'Donnell. **Motion carried 5-0.**
- VIII. PROCLAMATION:** Mayor David Austin proclaimed October 2016 as Bullying Prevention Month.

IX. CITY REQUESTED APPEARANCES:

- Jeff Richardson with Crown III Realty presented on marketing of The Park & The Landing in Central Park.

X. CITIZEN CONCERNS: Oral communication from the audience *(Please move to the podium and state your name & address so that you can be clearly heard by the viewing public as well as the Governing Body. Comments are limited to three (3) minutes unless additional time is granted by the Mayor).*

None.

XI. REPORTS:

A. Council Members Reports

Dr. Becker: On Monday, September 19th, we had our Community Development Advisory Committee and met our two new members. Tristin and the Committee are working on volunteer assignments to help with the upcoming October 15th Bel Aire Fall Festival, which will be another really fun family day with all kinds of activities and I'll let you say more about that (Mayor).

We're also looking at options for Christmas decorations for the City this year; and actually this is going to be the first significant Christmas decorations that I know of that we've had in Bel Aire since I've lived here anyway. And we're really excited about that. This is just the beginning because we're going to take it in stages, but I am very excited about that. I think that's going to be really great for the town.

I attended the REAP legislative committee meeting on September 22nd where the members worked on the 2017 legislative agenda planning and setting priorities. And it was announced there that there will be a reception for new state legislators on November 10th. This will be done in concert with the Chamber of Commerce and will take place in the evening; and as soon as I get more information about that, I will share that with everyone.

Rob and I attended several of the Parade of Homes open houses Sunday afternoon. I want to say we went to several even in Wichita and other cities, and we were really most impressed with the homes in Bel Aire. We thought they were the nicest; we might have been a little bit biased, but I really truly felt that way. So it was a good experience.

I am looking forward to going to the League of Cities meetings in Overland Park this weekend with a couple of other Council Members and our City Manager and our Engineer. That's going to be a good experience for all of us. That's all I have, Mayor.

Mr. MacDonald: Mr. Mayor, I don't have a report but I do have some comments to make. At our last council meeting, we approved a special use permit on Hillcrest and

I probably would have been the only vote on Council against that; and I explained my reasons for not approving of a business in a home. The most important objection that neighbors had that was expressed to me was traffic, increase of traffic, and of course that will not happen with this particular in-house business. However, what I didn't say was that when there is acreage in a residential neighborhood, there is a natural tendency for people who have the acreage to consider another business. Now people have shops, they build things, and that's for their home primarily; but that's not what I'm talking about. I'm talking about a real for-profit business and once one special use permit is granted there tends to be a progression of applications for the same thing, for a special use permit. That's going to occur on Hillcrest again and I think the proposed business is a yoga teaching business. That's fine for the house but I understand that five to eight cars are going to be able to fit in their driveway. That is increased traffic on Hillcrest. And for those who are not aware of it, Hillcrest is not a prime street. It's being degraded. Primarily, the ditches do not carry the water from the crown of the road to the edge of Hillcrest, which is gravel. The water goes from the crown to the edge; it cannot get into the ditch because of the little berm on the sides, so it tends to run down, especially with gully washers, it tends to run down the sides of the road. When it does that, it carries the gravel with it and makes a channel on each side of the road, further degrading the road. So I probably will not be in favor of that particular application when it comes to the Council, although it has been approved by the Planning & Zoning Commission. I understand that but I just wanted to explain before we had to make a vote on that, in the future, my reasons for not wanting to consider a home business on Hillcrest is primarily because the road is not in good condition, and it's going to carry increased traffic, which will further degrade the road. That is my report, Mr. Mayor.

Mayor Austin: Thank you, and for those at home, that will actually be our first agenda item. So I appreciate you bringing that up.

Mr. MacDonald: Oh it is; I missed it.

Mayor Austin: So we'll be talking about that in just a very few minutes. Council Member O'Donnell.

Mrs. O'Donnell: Thank you, Mr. Mayor. I am sad that I won't be able to go to the League meeting. I will be far away on the road, but I hope you guys have a great time; bring us back good information. I did want to say on September 22nd that – you were there, right? You came into the CCUA meeting?

Mayor Austin: No.

Mrs. O'Donnell: Oh no, you were gone; see I'm trying to remember. I know Councilwoman Martine was there, and our Engineer. And I found it fascinating that KDHE is requiring those big tanks if you toured, I know Dr. Becker did and some others, so they're going to have divers go in and check and make sure everything is good and compliant. It was fascinating to me the different types of jobs; I never

thought about being a diver in that. But it will not, the good thing is, that we are hiring them and we will not have any disruption in any of our water or sewer, so that was good.

And then our Engineer, I appreciate her so much, because when I brought up the question about the stoplight going in at Hillside and 45th, and we had talked about our water main there; they were ahead of us, they'd already tried three days of those people off onto Wichita water and it was very successful. So I don't think we as a Council need to worry about anything as that is being put in. I don't know, Mr. Lasher, do you know when they're starting that at Hillside and 45th?

Mr. Lasher: I don't, but we're going to be visiting with Wichita and Park City to determine what the best use is for that line.

Mrs. O'Donnell: Right, I appreciate, our staff is awesome; they were already proactive on that. So I did want to let all the rest of the Council know that they already tried for three days with those few customers, and there was no disruption or anything. So it should be a very smooth transition, and nothing that Bel Aire has to worry about with that water main there that we were a little concerned about. And that is the end of my report. Thank you, Mr. Mayor.

Ms. Wynn: Next week is my week for serious Council business, I think. I would like to say thanks to Bruce and Kay Brinkman for hosting a neighborhood Falcon Lane party on September 24th. They invited me as a Council rep to come and kind of enlighten them on some of the things that were going on. They also invited some from the Fire Department and the Police Department. And they both happened to show up while I was there. And I would say that the Police Department gave out some information about hardening your safety at home. A couple of really good ideas in that that I had not thought about. And then I questioned the Fire Department a little bit to find out because we lost that special unit, you know what was going on here now and that kind of thing. But anyway, I do not live on Falcon Lane but you can see my backyard from there.

And then this isn't really Bel Aire, but I have been known to be sort of a fighter for women's rights and equality for women and what have you. And I have a good friend, Nancy Lawrence, who does an awful lot of event planning and what have you in the Delano, Delano, whichever way you say it, area. So I had gotten an email from her today – we also don't usually have much from our seniors in the way of reporting – so Nancy is on the move again. She is beginning a ladies only 55+ just a senior services kind of group. No special service or anything like that; just get together, go to movies, go have a bite to eat, that kind of thing. And it's going to be called Women on the Move. And if anyone would like more information about that, they can just contact me and I will contact her further. That's all I have.

Ms. Martine: No report, Mayor.

B. Mayor's Report

Mayor Austin: I have no formal report, just to kind of echo some of the comments here that were made. Dr. Becker spoke about the Parade of Homes, and we went to a number of those too. So promote them; we've got two more weeks of this. So shout it from the rooftops; we need everybody to come to Bel Aire and see these homes. We truly do have some beautiful homes here. We just heard that report from our realtor, from the marketing, and it made me really realize just that those homes are just absolutely gorgeous that he talked about that have been on the market for a number of days. I'm glad I'm not the builders because that would be tough, all the guessing, the future, you know the upfront money and everything. But we do have some beautiful, beautiful homes here and builders coming in and a lot of available lots here in Central Park that we just heard about. So we encourage everybody to tell all their friends about our great community.

We also heard Dr. Becker talk a little bit about the Fall Fest; it's coming up October 15th and if you can see these, soon enough, you may already have started seeing – we're less than forty days away from campaign season, so I know a lot of campaign signs are starting to show up – but by golly we're going to get in there and compete with them and promote our Fall Festival, October 15th. And we encourage everybody to come out here to the Rec Center, we're going to have all kinds of things for kids, face painting, bouncy house or bouncy horses or something.

Dr. Becker: Real animals.

Mayor Austin: Yeah, live animals, petting zoo, vendors, car show, music, food trucks. So I would encourage everybody to come out from 10:00 a.m. – 2:00 p.m., no charge, there at the Rec Center. Our Fall Fest is October 15th. And also looking forward to going to part of the LKM this weekend. And I will conclude my report by saying because I can, I have to wish my lovely wife a happy birthday. She stopped having them about fifteen years ago she informed me, but happy birthday to my beautiful wife at home right now. And with that, I'll turn it over to our City Manager.

C. City Manager Report

Mr. Lasher: Thank you, Mayor. A couple items I want to mention, the brush site will be open this Saturday. That is, if this rain goes away today or tomorrow, but we had to cancel last months because it was so wet and muddy out there. But we have a plan to be open, and we have a sign out there on 53rd and Rock if it would be closed to let people know. But it's scheduled this Saturday from 9:00 a.m. – 1:00 p.m.

Also, I will be getting more information as we get a little closer, but on Saturday, October 22nd from 10:00 a.m. – 2:00 p.m., the Police Department will be holding a take back, unused drugs. So if people have prescription drugs that they want to get rid of, rather than flushing them down the toilet or putting them in the trash, bring them here to City Hall, and the Police Department will take them to be disposed of properly. That will be after our next council meeting, so I will bring that up again at the next council meeting. But that's on October 22nd when we will be doing that.

And then the last thing I wanted to mention, we talked about this for what seems like several years now, the reconstruction of 37th Street will actually be starting on October 10th. They're actually going to be closing the road where the rail crosses, and doing some work for a couple weeks there. And then they'll try to open it up to one lane of traffic and try to keep one lane of traffic open as much as they can through the whole reconstruction period. We're partnering with Wichita on that; we have sent out a letter to all of the homeowners that live on 37th, the ones that are off a block or two that utilize 37th, to let them know that there's going to be a public meeting on October 6th at the Cornerstone Christian Church, which is on 37th Street down there at 5531 E 37th St at 5:30 p.m. So if anybody utilizes 37th and wants to know more about how long it's going to take, closures, one lanes, all that kind of stuff, I'd encourage them to attend that meeting. And we will be putting out stuff on social media as well. But it looks like, again weather permitting, that it will close October 10th for at least two weeks, and then for approximately six weeks for culvert road improvements around the rail track, which will go to one lane. But we'll try to allow people to come in and out away from the tracks as long as we can. And Wichita is informing the people on the south side because that's all Wichita. So again, we'll be putting this information out on social media, so hopefully you're following us on Facebook, Twitter or Instagram and as we get updates about construction, we'll let people know. Hopefully, I think the plan is to have it completed within six months, but obviously that's going to depend on the weather and things like that. So it's going to be painful for a little while, but it will be very nice to have that road completed. I know it's getting in bad shape. Thank you, Mayor.

D. Committees/Boards/Commissions Reports
None

XII. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS:

A. Consideration of AN ORDINANCE APPROVING A SPECIAL USE ON CERTAIN PROPERTY ZONED R-1 LOCATED WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF BEL AIRE, KANSAS.

(4835 N Hillcrest St for the purpose of a home based personal yoga training business)

MOTION: Dr. Becker made a motion to approve **AN ORDINANCE APPROVING A SPECIAL USE ON CERTAIN PROPERTY ZONED R-1 LOCATED WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF BEL AIRE, KANSAS** and authorize the Mayor to sign. Seconded by Mrs. O'Donnell. **Motion carried 6-0.**

Roll Call:

Dr. Ramona Becker: <u>aye</u>	Guy MacDonald: <u>aye</u>	Betty Martine: <u>aye</u>
Peggy O'Donnell: <u>aye</u>	Diane Wynn: <u>aye</u>	David Austin: <u>aye</u>

- B.** Consideration of a Marketing Agreement with Crown III Realty for marketing of The Park and The Landing in Central Park.

MOTION: Mrs. O'Donnell made a motion to approve the Marketing Agreement with Crown III for The Park and The Landing in Central Park and authorize the Mayor to sign. Seconded by Dr. Becker. **Motion carried 3-2.** Mr. MacDonald and Ms. Martine opposed.

- C.** Consideration of accepting Petitions for 53rd Street Paving and 53rd Street Water Main to be constructed between Webb Road and Rock Road.

MOTION: Dr. Becker made a motion to accept the Water Main and Paving Petitions for improvements along 53rd Street between Rock and Webb Roads. Seconded by Ms. Martine. **Motion carried 5-0.**

- D.** Consideration of **A RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION BONDS, SERIES 2016A AND GENERAL OBLIGATION TEMPORARY NOTES, SERIES 2016B, OF THE CITY OF BEL AIRE, KANSAS.**

MOTION: Mrs. O'Donnell made a motion to approve **A RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION BONDS, SERIES 2016A AND GENERAL OBLIGATION TEMPORARY NOTES, SERIES 2016B, OF THE CITY OF BEL AIRE, KANSAS** and authorize the Mayor to sign. Seconded by Ms. Wynn. **Motion carried 5-0.**

- E.** Consideration of a Real Estate Purchase and Sale Agreement with Empire Wall Systems for a 10 acre tract in the Sunflower Commerce Park.

MOTION: Mr. MacDonald made a motion to approve the Real Estate Purchase and Sale Agreement with Empire Wall and authorize the Mayor to sign. Seconded by Ms. Martine. **Motion carried 5-0.**

XIII. DISCUSSION AND FUTURE ISSUES:

- Mayor Austin and Council Members Wynn, Martine and Becker will be attending the League of Kansas Municipalities annual conference in Overland Park on October 9th – 11th.
- The regularly scheduled workshop in October is canceled due to the League Conference.

XIV. EXECUTIVE SESSION: None

XV. ADJOURNMENT

MOTION: Ms. Martine made a motion to adjourn. Seconded by Mr. MacDonald.

Motion carried 5-0.

Meeting adjourned at 8:17 pm

Submitted by Stacey Cook, City Clerk/Zoning Assistant

Next scheduled meeting October 18, 2016 at 7:00 pm

Notice

It is possible that sometime between 6:30 and 7:00 pm immediately prior to this meeting, during breaks, and directly after the meeting, a majority of the Governing Body may be present in the council chambers or lobby of City Hall .No one is excluded from these areas during those times. Channel 7 rebroadcasts of this meeting are scheduled daily.

Please make sure cell phones are turned off and put away.